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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LIONEL N. ALLEN; RALPH P. DAVIS;
MICHAEL OATEZ; MONICA OATEZ;
M.O., a minor, by and through her guardian
ad litem, MICHAEL OATEZ; MICHAEL
A. FLEURY; and, JOHNNY D. STOKES,

Action No. C-07-03509-PJH.

STIPULATION AND PROPOSED ORDER
FOR CONTINUATION OF CASE
MANAGEMENT CONFERENCE

Plaintiffs,

vs.

CITY OF SAN LEANDRO, a municipal corporation;
JOSEPH KITCHEN, in his capacity as Chief of Police
for CITY OF SAN LEANDRO; and, DOES 1-25,
inclusive, individually, and in their capacity as
San Leandro police officers,

Defendants.

STIPULATION

All parties to this action stipulate and agree, by and through their respective counsel, as follows:

1. Plaintiffs will be filing First Amended Complaint by no later than December 27, 2007. Thus, defendants will not be filing a responsive pleading to the original Complaint, but will file a responsive pleading to plaintiffs' First Amended Complaint;

2. The parties have filed a Stipulation and Proposed Order Allowing Plaintiffs to File a First Amended Complaint;

3. Since no responsive pleading has been filed by defendants, and the case has not progressed further at this time, a Case Management Conference at this time would not be useful to the parties and would waste the Court's time; and,

4. Therefore, the parties request that this Court continue the Case Management Conference presently scheduled for December 13, 2007 at 2:30 p.m. and the Case Management Conference Statement, presently due on December 6, 2007, for approximately two (2) months.

LAW OFFICES OF GAYLA B. LIBET

Dated: 12-5-07By: Gayla B. LibetGAYLA B. LIBET, Esq.
Attorneys for Plaintiffs

LAW OFFICES OF JOHN L. BURRIS

Dated: 12-5-07By: John L. BurrisJOHN L. BURRIS, Esq.
Attorneys for Plaintiffs

MEYERS, NAVE, RIBACK, SILVER & WILSON

Dated: 12/5/07By: Tricia L. HynesTRICIA L. HYNES, Esq.
Attorneys for Defendants

STIPULATION AND PROPOSED ORDER FOR CONTINUATION OF CASE MANAGEMENT CONFERENCE

GAYLA B. LIBET

5104200324

12/05/2007 11:00

ORDER**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: _____

HONORABLE PHYLLIS J. HAMILTON
United States District Court Judge